

S/023/0109
cc: Wayne



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Fillmore Field Office

95 East 500 North

Fillmore, UT 84631

<http://www.blm.gov/ut/st/en/fo/fillmore.html>



RECEIVED

SEP 19 2013

DIV. OF OIL, GAS & MINING

IN REPLY REFER TO:
3809 (UTW02000)
UTU-88441

September 17, 2013

CERTIFIED MAIL # 7012 3460 0000 6633 0243
RETURN RECEIPT REQUESTED

Dale Rogers	:	
P.O. Box 697	:	43 CFR 3809 - Surface Management
Delta, UT 84624	:	Plan of Operation

Plan of Operations Incomplete

Your proposed mining Plan of Operations (Plan) for the SW $\frac{1}{4}$ of section 31, Township 13 South, Range 19 West, Salt Lake Meridian; was received by the Fillmore Field Office (FFO) of the Bureau of Land Management (BLM) on August 21, 2013. The new Plan is a revision of a Plan previously submitted to the BLM on April 12, 2011. The proposed Plan was previously assigned BLM case file number UTU-88441. Please refer to this number in future correspondence. The corresponding Utah Division of Oil, Gas and Mining (UDOGM) case file number is S/023/0109.

Based on our initial review of your filing, we have determined your Plan contains most elements required for completeness, but it does not contain all information items required by the BLM surface management regulations at 43 CFR §3809.401(b). The following information must be provided in order for your Plan to be complete:

1. Operator Information – as specified in 43 CFR §3809.401(b)(1), your information must include a taxpayer identification number. This information is confidential and will be treated as such by the BLM.
2. Temporary Occupancy with Two Trailer Homes – As specified under 43 CFR §3715, 'Use and Occupancy Under the Mining Laws,' you must provide written justifications:
 - a. As required in 43 CFR §3715.2-2, you must show that the need for a watchman or caretaker is both reasonably incident and continual. This requirement may likely be met with a simple statement, but a written justification is required.
 - b. As required in 43 CFR §3715.3-2(f), the occupancy justification must include "the estimated period of use of the structures, enclosures, fences, gates and signs, as well as the schedule for removal and reclamation when operations end." The operation is estimated in your proposed Plan to continue until December 31, 2020,

but a schedule for removal of equipment and reclamation has not yet been included in the proposed Plan.

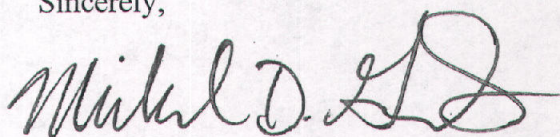
3. Please specify what equipment will be stored in the trailers and on-site.
 - a. Will the forklift, small trackhoe, one-ton truck, and flatbed trailer be stored on the site? Will other equipment be regularly parked at the site?
 - b. Your proposed Plan states that one trailer will be used to store equipment and supplies. Will any fuels or lubricants be stored in the trailer or elsewhere within the site area?
4. Reclamation Plan – as specified in 43 CFR §3809.401(b)(3), you have included a concise description of reclamation methods. However, the reclamation plan must include:
 - a. Performance standards required in 43 CFR § 420 must be addressed.
 - b. A reclamation cost estimate, see 43 CFR §3809.552 and 43 CFR §3809.554. The BLM and UDOGM will separately calculate reclamation cost estimates and the two agencies will coordinate to determine a single required Financial Guarantee, or reclamation bond, amount. The reclamation cost estimate must include the cost for removal of the two trailer homes proposed for location on the site, which could become a liability for BLM if the operation is abandoned, as specified under 43 CFR §3809.5-2.
 - c. As noted above in 2.b., the reclamation cost estimate must be based upon a schedule for reclamation after operations cease.
 - d. Methods by which growth medium (*e.g.*, soil) will be conserved and applied to surface disturbances upon closure.
 - e. Methods by which re-vegetation efforts will be made. Please specify if you plan to drill-seed or broadcast-seed the surface disturbance areas after use ends.

Until a complete Plan with the additional information is filed with this office, BLM is unable to determine if your proposed operations will result in unnecessary or undue degradation as defined under 43 CFR §3809.5. In addition, we are unable to make a determination as to our agreement with the amount of required financial guarantee.

Please submit the required information at your earliest convenience. Until we receive this information your Plan cannot be processed and proposed mining activity is not to take place.

If you have any questions, please contact Duane Bays, BLM-FFO Natural Resource Specialist, at (435) 743-3115.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael D. Gates", with a stylized, cursive flourish at the end.

Michael D. Gates
Field Manager

Enclosures: 43 CFR §3809.401
43 CFR §3715

cc:

Paul Baker

UDOGM

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